

REMARKS

Claims 1-53 were previously pending in this patent application. Claims 1-53 stand rejected. Herein, no Claim has been amended. Accordingly, after this Amendment and Response After Final Action, Claims 1-53 remain pending in this patent application. Further examination and reconsideration in view of the claims, remarks, and arguments set forth below is respectfully requested.

35 U.S.C. Section 103(a) Rejections

Claims 1-3, 5-7, 11-15, 17, 19-21, 23-25, 36, 38, 40, 41, and 45-53 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chelliah, U.S. Patent No. 5,710,887 (hereafter Chelliah) and PR Newswire (PTO-892, Item: UU), in view of Voice Commerce (a collection of articles cited in PTO-892, Items: U-X and VV; hereafter referred to as "VM"). These rejections are respectfully traversed.

Independent Claim 1 recites:

A method of providing an electronic commerce transaction from the Internet to a telephone using a computer system, the computer system including a telephone interface system coupled in communications with an Internet access system, the telephone interface system being coupled in communications with the telephone, the method comprising:

providing a single command commerce model using the computer system configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce;

receiving an audio purchase request over the telephone interface system, the audio purchase request corresponding to a product for sale from a merchant, the merchant providing electronic commerce, which uses a particular electronic commerce model, on the Internet using a second computer system, wherein the single command commerce model abstracts the particular electronic commerce model used by the merchant such that the computer system provides a uniform interface, which is independent of the particular electronic commerce model used by the merchant, between the telephone and the merchant;

responsive to the audio purchase request, performing the following

sending a first request to the second computer system over the Internet access system, the first request corresponding to a request for information about the product,

receiving a first response from the second computer system over the Internet access system, the first response corresponding to an information about the product,

providing an audio response over the telephone interface system, the audio response corresponding to the information, and

receiving an audio confirmation over the telephone interface system; and responsive to the audio confirmation, performing the following

sending a second request to the second computer system over the Internet access system, the second request corresponding to a request to purchase the product from the merchant;

receiving a second response from the second computer system over the Internet access system, the second response corresponding to a confirmation of the first request; and

providing a second audio response over the telephone interface system, the second audio response indicating completion of the electronic commerce transaction. (emphasis added)

It is respectfully asserted that there is no suggestion, motivation, or teaching found in the cited references to combine them. Moreover, the combination of the cited references does not teach, suggest, or motivate all the limitations in Independent Claim 1.

Further, the arguments presented in support of the rejections under 35 U.S.C. 103(a) fail to establishing prima facie obviousness of the claimed invention of Independent Claim 1. All the claim limitations of Independent Claim 1 must be taught or suggested by the prior art in order to establish prima facie obviousness of claimed invention of Independent Claim 1. [MPEP 2143.03]. Since the Office Action (at page 2) states that "companies joining Nuance to integrate electronic commerce applications with speech recognition to implement voice commerce" (emphasis added) and since the Office Action (at page 6) states "electronic mall server acting as the storefront server for at least one merchant or connecting at least one merchant legacy system desiring to retain its proprietary storefront" (emphasis added), prima facie obviousness has not been established because Independent

Claim 1 recites using a computer system configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants, which use a second computer system to provide visual originating electronic commerce. That is, the references cited in the Office Action are directed to a single integrated system and method having both electronic commerce and voice commerce instead of a separate and independent system for facilitating audio originating commerce and a second system used by merchants to provide visual-originating electronic commerce.

In particular, Chelliah is directed to a system for facilitating commercial transactions between a plurality of customers and at least one supplier (or merchant) of items [Chelliah, Col. 3, lines 5-18]. In general, the system consolidates multiple merchants and provides an electronic storefront for each consolidated merchant. [Chelliah, Figure 1]. The commercial transactions occur over a computer driven network capable of providing communications between the supplier (or merchant) and at least one customer site associated with each customer. [Chelliah, Col. 3, lines 5-18]. Each customer site includes an associated display such as a personal computer, set-top box, touch sensitive screen, a touch tone telephone, or any other device capable of reproducing audio or video information to a human being. Id. Thus, Chelliah is directed to visual-originating electronic commerce. Moreover, each site also includes an input means such as a keyboard or computer mouse through which the customer can input information to the system. Id.

In other words, Chelliah discloses a system in which the customer interacts directly with the supplier to perform the commercial transaction. Moreover, in Chelliah, the customer must perform the commercial transaction according to the

electronic commerce model presented by the supplier (or merchant). In particular, Chelliah describes that as the customer decides what items to purchase, External Commerce Subsystems 18 may be invoked to complete the transaction. [Chelliah, Figure 1, Col. 6, lines 44-46]. Moreover, Chelliah discloses that the customer interacts with the system by clicking on an icon with a conventional selection or input device such as a mouse/cursor device. [Chelliah, Col. 6, lines 37-43]. Additionally, Chelliah discloses that the items selected by the customer are added to a purchase list, where the selection of an item for purchase is not a commitment to purchase but is analogous to a shopper placing an item in a shopping cart in preparation for a purchase. [Chelliah, Col. 14, lines 52-65].

Chelliah does not disclose a single command commerce model using a computer system configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce. Additionally, Chelliah does not disclose that the single command commerce model abstracts the particular electronic commerce model used by the merchant such that the computer system provides a uniform interface, which is independent of the particular electronic commerce model used by the merchant, between the telephone and the merchant.

Moreover, PR Newswire (PTO-892, Item: UU) and VM merely discloses that several companies develop applications that use natural language speech recognition and integrate/combine/embed/add those applications with systems to enable performance of self-service transactions over the telephone and other voice-initiated transactions. However, PR Newswire (PTO-892, Item: UU) and VM do not disclose using a computer system configured to independently and separately

facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce.

Unlike Chelliah, PR Newswire (PTO-892, Item: UU), and VM, Independent Claim 1 is directed to a method of providing an electronic commerce transaction from the Internet to a telephone using a computer system. The method includes the step of providing a single command commerce model using the computer system configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce. Further, the method includes the step of receiving an audio purchase request over the telephone interface system, the audio purchase request corresponding to a product for sale from a merchant, the merchant providing electronic commerce, which uses a particular electronic commerce model, on the Internet using a second computer system, wherein the single command commerce model abstracts the particular electronic commerce model used by the merchant such that the computer system provides a uniform interface, which is independent of the particular electronic commerce model used by the merchant, between the telephone and the merchant. As described above, Chelliah and PR Newswire (PTO-892, Item: UU) and VM do not disclose the cited claim limitations of Independent Claim 1. Therefore, it is respectfully submitted that Independent Claim 1 is patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM and is in condition for allowance.

Dependent Claims 2-3, 5-7, 11-15, and 17 are dependent on allowable Independent Claim 1, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claims

2-3, 5-7, 11-15, and 17 are patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above.

With respect to Independent Claim 19, it is respectfully submitted that Independent Claim 19 recites similar limitations as in Independent Claim 1. In particular, Independent Claim 19 is directed to a method of providing an electronic commerce transaction from the Internet to a telephone using a computer system. Moreover, the method includes the step of providing a single command commerce model using the computer system configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce. Further, the method includes the step of receiving an audio request over the telephone interface system, the audio request corresponding to a product for sale from a merchant, the merchant providing electronic commerce, which uses a particular electronic commerce model, on the Internet using a second computer system, wherein the single command commerce model abstracts the particular electronic commerce model used by the merchant such that the computer system provides a uniform interface, which is independent of the particular electronic commerce model used by the merchant, between the telephone and the merchant. Therefore, Independent Claim 19 is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for reasons discussed in connection with Independent Claim 1.

Dependent Claims 20-21 and 23-25 are dependent on allowable Independent Claim 19, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claims 20-21 and 23-25 are patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above.

With respect to Independent Claim 36, it is respectfully submitted that Independent Claim 36 recites similar limitations as in Independent Claim 1. In particular, Independent Claim 36 is directed to a method of ordering an item over a telephone. Moreover, the method includes the step of providing a single command commerce model using the computer system configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce. Further, the method includes the steps of retrieving telephone identifying information associated with the telephone to identify a profile associated with a purchaser; and sending a request to order the item, the request including information from the profile about the purchaser to a second computer system on the Internet, the second computer system operated by a merchant selling the item and using a particular electronic commerce model, wherein the single command commerce model abstracts the particular electronic commerce model used by the merchant such that the computer system provides a uniform interface, which is independent of the particular electronic commerce model used by the merchant, between the telephone and the merchant. Therefore, Independent Claim 36 is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for reasons discussed in connection with Independent Claim 1.

Dependent Claims 38, 40-41, and 45-47 are dependent on allowable Independent Claim 36, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claims 38, 40-41, and 45-47 are patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above.

With respect to Independent Claim 48, it is respectfully submitted that Independent Claim 48 recites similar limitations as in Independent Claim 1. In particular, Independent Claim 48 is directed to a method of completing a purchase of an item over a telephone. The method includes the step of providing a single command commerce model using the first computer system configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce. Moreover, the method includes the step of receiving a signal from a second computer system over the Internet, the second computer system operated by a merchant selling the item and using a particular electronic commerce model, wherein the single command commerce model abstracts the particular electronic commerce model used by the merchant such that the first computer system provides a uniform interface, which is independent of the particular electronic commerce model used by the merchant, between the telephone and the merchant. Therefore, Independent Claim 48 is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for reasons discussed in connection with Independent Claim 1.

Dependent Claim 49 is dependent on allowable Independent Claim 48, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claim 49 is patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above.

With respect to Independent Claim 50, it is respectfully submitted that Independent Claim 50 recites similar limitations as in Independent Claim 1. In

particular, Independent Claim 50 is directed to a method of completing a purchase from a list over a telephone. The method includes the step of providing a single command commerce model using the first computer system configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce. Moreover, the method includes the step of responsive to an audio response, completing a purchase of a most recently presented item on a second computer system coupled in communication with the first computer system over the Internet using the user profile, the second computer system operated by a merchant selling the most recently presented item and using a particular electronic commerce model, wherein the single command commerce model abstracts the particular electronic commerce model used by the merchant such that the first computer system provides a uniform interface, which is independent of the particular electronic commerce model used by the merchant, between the telephone and the merchant. Therefore, Independent Claim 50 is allowable Chelliah and PR Newswire (PTO-892, Item: UU) and VM for reasons discussed in connection with Independent Claim 1.

Dependent Claim 51 is dependent on allowable Independent Claim 50, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claim 51 is patentable over Chelliah and PR Newswire and VM for the reasons discussed above.

With respect to Independent Claim 52, it is respectfully submitted that Independent Claim 52 recites similar limitations as in Independent Claim 1. In particular, Independent Claim 52 is directed to a method of storing information received over a telephone interface in a data storage coupled to a computer. The

method includes the step of providing a single command commerce model using the computer configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce. Moreover, the method further includes the step of using the computer to prompt a user for information over the telephone interface, wherein the information relates to a product for sale from a merchant, the merchant providing electronic commerce, which uses a particular electronic commerce model, on the Internet using a second computer system, wherein the single command commerce model abstracts the particular electronic commerce model used by the merchant such that the computer provides a uniform interface, which is independent of the particular electronic commerce model used by the merchant, between the telephone and the merchant. Therefore, Independent Claim 52 is allowable Chelliah and PR Newswire (PTO-892, Item: UU) and VM for reasons discussed in connection with Independent Claim 1.

Dependent Claim 53 is dependent on allowable Independent Claim 52, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claim 53 is patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above.

Claims 4, 22, and 39 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chelliah, U.S. Patent No. 5,710,887 (hereafter Chelliah) and PR Newswire (PTO-892, Item: UU), in view of Voice Commerce (a collection of articles cited in PTO-892, Items: U-X and VV; hereafter referred to as "VM"), further in view of Official Notice. These rejections are respectfully traversed.

Dependent Claim 4 is dependent on allowable Independent Claim 1, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claim 4 is patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above. Moreover, the Official Notice does not disclose the claim limitations as recited in Independent Claim 1. Thus, it is respectfully submitted that Dependent Claim 4 is allowable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Official Notice for the reasons discussed above.

Dependent Claim 22 is dependent on allowable Independent Claim 19, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claim 22 is patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above. Moreover, the Official Notice does not disclose the claim limitations as recited in Independent Claim 19. Thus, it is respectfully submitted that Dependent Claim 22 is allowable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Official Notice for the reasons discussed above.

Dependent Claim 39 is dependent on allowable Independent Claim 36, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claim 39 is patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above. Moreover, the Official Notice does not disclose the claim limitations as recited in Independent Claim 36. Thus, it is respectfully submitted that Dependent Claim 39 is allowable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Official Notice for the reasons discussed above.

Claims 8-10, 26-35, 37, and 42-44 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chelliah, U.S. Patent No. 5,710,887 (hereafter Chelliah), PR Newswire (PTO-892, Item: UU), and Voice Commerce (a collection of articles cited in PTO-892, Items: U-X and VV; hereafter referred to as "VM"), in further view of Business Wire (PTO-892, Item:WW). These rejections are respectfully traversed.

Dependent Claims 8-10 are dependent on allowable Independent Claim 1, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claims 8-10 are patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above. Moreover, Business Wire (PTO-892, Item:WW) does not disclose the claim limitations recited in Independent Claim 1. Thus, it is respectfully submitted that Dependent Claims 8-10 are allowable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Business Wire (PTO-892, Item:WW) for the reasons discussed above.

Dependent Claims 26-28 are dependent on allowable Independent Claim 19, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claims 26-28 are patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above. Moreover, Business Wire (PTO-892, Item:WW) does not disclose the claim limitations recited in Independent Claim 19. Thus, it is respectfully submitted that Dependent Claims 26-28 are allowable over Chelliah,

PR Newswire (PTO-892, Item: UU), VM, and Business Wire (PTO-892, Item:WW) for the reasons discussed above.

With respect to Independent Claim 29, it is respectfully submitted that Independent Claim 29 recites similar limitations as in Independent Claim 1. In particular, Independent Claim 29 is directed to a computer system to provide an electronic commerce transaction from the Internet to a telephone. Moreover, the computer system includes a control subsystem configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce. Further, the control subsystem includes at least one program for: providing a single command commerce model and processing an audio request to purchase a product from a merchant, the merchant providing electronic commerce, which uses a particular electronic commerce model, on the Internet using the second computer system, wherein the single command commerce model abstracts the particular electronic commerce model used by the merchant such that a uniform interface, which is independent of the particular electronic commerce model used by the merchant, is provided between the telephone and the merchant. Further, Business Wire (PTO-892, Item:WW) does not disclose the claim limitations recited in Independent Claim 29. Thus, it is respectfully submitted that Independent Claim 29 is allowable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Business Wire (PTO-892, Item:WW) for the reasons discussed above and reasons discussed in connection with Independent Claim 1.

Dependent Claims 30-31 are dependent on allowable Independent Claim 29, which is allowable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Business Wire (PTO-892, Item:WW). Hence, it is respectfully submitted that

Dependent Claims 30-31 are patentable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Business Wire (PTO-892, Item:WW) for the reasons discussed above.

With respect to Independent Claim 32, it is respectfully submitted that Independent Claim 32 recites similar limitations as in Independent Claim 1. In particular, Independent Claim 32 is directed to a computer system performing an electronic commerce transaction over a telephone. Moreover, the computer system includes means for providing a single command commerce model using the computer system configured to independently and separately facilitate audio-originating electronic commerce between the telephone and a plurality of unconsolidated merchants providing visual-originating electronic commerce. Further, the computer system includes means for selecting a product from a merchant using an audio dialogue, the merchant providing electronic commerce, which uses a particular electronic commerce model, on the Internet using a second computer system, wherein the single command commerce model abstracts the particular electronic commerce model used by the merchant such that the computer system provides a uniform interface, which is independent of the particular electronic commerce model used by the merchant, between the telephone and the merchant. Further, Business Wire (PTO-892, Item:WW) does not disclose the claim limitations recited in Independent Claim 32. Thus, it is respectfully submitted that Independent Claim 32 is allowable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Business Wire (PTO-892, Item:WW) for the reasons discussed above and reasons discussed in connection with Independent Claim 1.

Dependent Claims 33-35 are dependent on allowable Independent Claim 32, which is allowable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Business Wire (PTO-892, Item:WW). Hence, it is respectfully submitted that Dependent Claims 33-35 are patentable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Business Wire (PTO-892, Item:WW) for the reasons discussed above.

Dependent Claims 42-44 are dependent on allowable Independent Claim 36, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM. Hence, it is respectfully submitted that Dependent Claims 42-22 are patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above. Moreover, Business Wire (PTO-892, Item:WW) does not disclose the claim limitations recited in Independent Claim 36. Thus, it is respectfully submitted that Dependent Claims 42-22 are allowable over Chelliah, PR Newswire (PTO-892, Item: UU), VM, and Business Wire (PTO-892, Item:WW) for the reasons discussed above.

Claims 16 and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chelliah, U.S. Patent No. 5,710,887 (hereafter Chelliah), PR Newswire (PTO-892, Item: UU), and Voice Commerce (a collection of articles cited in PTO-892, Items: U-X and VV; hereafter referred to as "VM"). These rejections are respectfully traversed.

Dependent Claims 16 and 18 are dependent on allowable Independent Claim 1, which is allowable over Chelliah and PR Newswire (PTO-892, Item: UU)

and VM. Hence, it is respectfully submitted that Dependent Claims 16-18 are patentable over Chelliah and PR Newswire (PTO-892, Item: UU) and VM for the reasons discussed above.

CONCLUSION

It is respectfully submitted that the above remarks and arguments overcome all rejections and objections. For at least the above-presented reasons, it is respectfully submitted that all remaining claims (Claims 1-53) are now in condition for allowance.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,
WAGNER, MURABITO & HAO, LLP

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Anthony C. Murabito
Registration No. 35,295

Two North Market Street, Third Floor
San Jose, CA 95113
(408) 938-9060